

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

FILED  
10 JUN -3 PM 1:53  
CLERK OF DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND

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UNITED STATES OF AMERICA,

Plaintiff,

-vs-

JEROME L. TAYLOR,

Defendant.  
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: CASE NO. 1:09 CR 394

:  
:  
:  
: MEMORANDUM OF OPINION AND  
: ORDER GRANTING THE  
: DEFENDANT'S MOTION TO DISMISS  
: AND ORDERING THE DEFENDANT'S  
: RELEASE


UNITED STATES DISTRICT JUDGE LESLEY WELLS

Before the Court is defendant Jerome L. Taylor's motion to dismiss the government's one count indictment. (Doc. 14). Mr. Taylor allegedly violated the Sex Offender Registration and Notification Act ("SORNA"), 18 U.S.C. § 2250, when he engaged in interstate travel without properly registering pursuant to the Act. (Doc. 9). Based on a recent decision of the United States Supreme Court, however, the government has conceded that Mr. Taylor's motion should be granted. (Doc. 18).

In Carr v. United States, 560 U.S. \_\_\_\_ (2010), slip opinion, case no. 08-1301, the Supreme Court held that 18 U.S.C. § 2250 does not apply to sex offenders whose interstate travel occurred before SORNA's effective date. SORNA became effective on 1 August 2008. United States v. Utesch, 596 F.3d 302, 311 (6th Cir. 2010). In the present case, the government's indictment is based on interstate travel that occurred no later than January 2008, well before SORNA's effective date.

Accordingly, the Court grants the defendant's motion to dismiss the government's indictment. Mr. Taylor is hereby ordered released from the custody of the United States Marshals Service.

IT IS SO ORDERED.

  
UNITED STATES DISTRICT JUDGE

Date: 3 June 2010